

CITY OF LEWISTON  
PLANNING BOARD MEETING  
MINUTES for May 22, 2017

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- I. **ROLL CALL:** The meeting was held in the City Council Chambers on the first floor of City Hall and was called to order at 5:30 p.m. Chairperson, Bruce Damon, chaired the meeting.

**Members in Attendance:** Bruce Damon, John Butler, Normand Ancil, Sandra Marquis, Pauline Gudas and Michael Marcotte

**Members Absent:** Paul Madore

**Associate Member Present:** Sonia Taylor and Zachary Pettengill

Sonia Taylor was appointed full voting member for this meeting.

**Staff Present:** David Hediger, City Planner and Linda Tripp, Administrative Assistant

- II. **ADJUSTMENT TO THE AGENDA:** The Board agreed to start the meeting with agenda item V (a).

- III. **CORRESPONDENCE:** Memo to David Hediger dated 5/19/17 from Ryan Barnes, P.E., of Lewiston Public Works Re: 449 Sabattus Street.

Letter to Ed Barrett, City Administrator dated 1/23/17 from K. Alexander Visbaras of The Public Theatre regarding the acquisition and disposition of 502 Lisbon Street.

IV. **PUBLIC HEARINGS:**

To consider an application submitted by Guggenheim Real Estates Partners, Inc. for the construction of a proposed fuel facility, restaurant with drive-thru window, and carwash at 449 Sabattus Street.

David Hediger read staff comments. Malia Ohlson of Vanasse Hangen Brustlin, Inc. reviewed details of the project and then opened the discussion to the board.

John Butler expressed his approval for the entire project. Normand Ancil stated that while he feels this is a great project he has some concerns regarding driveway openings to the street and public safety.

Bruce Damon opened the discussion to the public.

John O'Malley owner of abutting property at 467 Sabattus and Spofford Street expressed concern for the elderly in the neighborhood who frequently need to cross Sabattus Street to gain access to CVS and Rite-Aid. He stated that he is not opposed to the project and that his main concern is for the elderly who live in Meadowview Park on Spofford Street.

Donna Lebrun who resides on 312 East Avenue questioned if the business would be open 24/7. Tom Healy of Nouria Energy stated that the convenience store and gas pumps would be open 24/7 while the car wash likely would not. Donna Lebrun continued by expressing concern for the flow of traffic which she feels is already a problem, especially with turn traffic on East Avenue come from Russell Street. Meghan Houdlette of Guggenheim Real Estate Partners, Inc. who studied traffic in the area reviewed findings of the study performed. She stated that adjustments to existing traffic lights in the area would assist with resolving poor traffic flow. Michael Marcotte agreed that existing conditions currently pose a problem and stated that he has serious concerns about entering and exiting the proposed site. Megan Houdlette stated that the proposed opening on Sabattus Street will likely offer some relief with regards to access. Pauline Gudas stated she has concerns with turning traffic from East Avenue into the site and stacking of traffic. Sandra Marquis spoke of a right turn only sign at an exit only opening at Shaw's Supermarket and how that could be considered for better traffic flow onto East Avenue. David Hediger spoke of the traffic study and informed the board that it indicates the intersection is currently maxed out with regards to traffic. John O'Malley stated cars are frequently backed up beyond any of the proposed openings.

Sandra Marquis inquired if sidewalks were to be part of the design and Meghan Houdlette confirmed that they were. Michael Marcotte asked if the proposed building would be constructed with a flat roof. David Fenstermacher, P.E., of Vanasse Hangen Brustlin, Inc. noted it would be flat and reviewed the design and materials proposed. Zachary Pettengill stated crosswalk lighting he has seen used in other towns would be a good idea for the driveway crossings at this project.

Bruce Damon asked if J&S Oil and Nouria Energy were one in the same and David Fenstermacher stated that they were affiliated. Bruce Damon commented that he was very happy to see the area put to use after being vacant for so long.

Bruce Damon closed the meeting to the public and opened the discussion to the board.

David Hediger and the Board discussed the proximity of nearby residences and noise levels. More discussion took place regarding traffic in the area. Zachary Pettengill stated that if traffic flow turned out to be troublesome he felt certain that it would be quickly resolved to assure the success of the project. Normand Ancil agreed that any traffic issues could certainly be worked out.

The following motion was made:

**MOTION:** by **John Butler** that the application submitted by Guggenheim Real Estates Partners, Inc. for the construction of a proposed fuel facility, restaurant with drive-thru window, and carwash at 449 Sabattus Street meets all of the necessary criteria contained in the Zoning and Land Use Code, including but not limited to Article XIII, Section 4 of the Zoning and Land Use Code, and that approval be granted subject to the following conditions:



1. Prior to any site work commencing or permits being issued:
  - a. The applicant shall provide documentation demonstrating compliance with the noise provisions pursuant to Article XII, Section 19(2) of the Zoning and Land Use Code.
  - b. The TMP is amended to make specific reference to fuel deliveries being limited to non-peak hours with the exception of emergency conditions.
2. Prior to any certificate of occupancy being issued:
  - a. Evidence of the post-construction stormwater management guarantee having been recorded at the Registry of Deeds must be provided.
  - b. Evidence of a final inspection of the storm water system shall be provided to the city by the designing engineer along with a written statement indicating that the storm water system and all site improvements have been completed in accordance with the approved plans.

Second by **Normand Anctil**.

**VOTED: 5-2 (Passed)**

**Michael Marcotte and Pauline Gudas Opposed.**

#### **V. OTHER BUSINESS:**

- a) De minimis change amendment: Leblanc Subdivision, 610 Webster Street.

David Hediger read staff comments. Stuart Davis of Davis Landscaping reviewed details regarding the proposed amendment.

The following motion was made:

**MOTION:** by **Normand Anctil** pursuant to Article XIII, Section 3(k), Section 4, and Section 5 of the Zoning and Land Use Code to approve a request by Davis Land Surveying, LLC for an amendment to the Leblanc Subdivision –Revision 1, Lot 3. Second by **Sandra Marquis**.

**VOTED: 7-0 (Passed)**

- b) Disposition of 502 Lisbon Street.

David Hediger read staff comments and gave a brief background on the property. Kim Visbaras from The Public Theatre gave an overview of the project. Bruce Damon questioned property lines considering the city right of way impacts the lot and David Hediger advised and confirmed the road and sidewalk would remain owned by the city. Sonia Taylor questioned if there would be any problems with the proposed use and David Hediger stated that there would not as it's already a parking lot. Pauline Gudas stated that she was in favor of both the project and The Public Theatre. Michael Marcotte spoke of the need to revise property lines and questioned the impact of the proposed use on the existing parking spaces. Kim Visbaras stated that the project would likely eliminate 2 to 3 spaces.

The following motion was made:

**MOTION:** by **Pauline Gudas** pursuant to Article VII, Section 4(h) of the Zoning and Land Use Code to send a favorable recommendation to the City Council for the disposition of 502 Lisbon Street granted (including, if any, specific conditions raised by the Planning Board or staff). Second by **John Butler**.

**VOTED: 7-0 (Passed)**

- c) Request to initiate an amendment to Article IX, Section 12 of the Zoning and Land Use Code.

David Hediger reviewed the request that mobile homes be subject to the same variance criteria as single-family dwellings on individual lots and clarified all details.

The following motion was made:

**MOTION:** by **Michael Marcotte** pursuant to Article XVII, Section 5(b)(1) of the Zoning and Land Use Code to initiate an amendment to Article IX, Section 12 of the Zoning and Land Use Code pertaining to variances for single-family dwelling and mobile homes on individual lots. Second by **Sonia Taylor**.

**VOTED: 7-0 (Passed)**

- d) Any other business Planning Board Members may have relating to the duties of the Lewiston Planning Board.

Sonia Taylor informed the Board that she and her family are purchasing a new home in ward 7 and that she will be stepping down. She expressed interest in continuing with the Board in the future. Bruce Damon thanked Sonia Taylor for her service and commitment. A discussion amongst Board members took place and it was determined that a new secretary would be required.

The following motion was made:

**MOTION:** by **Pauline Gudas** to elect John Butler as its Secretary. Second by **Sandra Marquis**.

**VOTED: 6-0-1 (Passed. John Butler abstained.)**

## VI. **READING OF MINUTES:** Adoption of the April 24, 2017 draft minutes.

The following motion was made:

**MOTION:** by **Michael Marcotte** to accept the April 24, 2017 draft minutes as presented. Second by **Normand Ancil**.

**VOTED: 7-0 (Passed)**

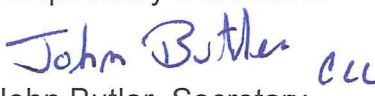
## VII. **ADJOURNMENT:** The following motion was made to adjourn.

**MOTION:** by **Pauline Gudas** that this meeting adjourns at 7:30 p.m. Second by **Sandra Marquis**.

**VOTED: 7-0 (Passed)**

The next regularly scheduled meeting is for Monday, June 12, 2017 at 5:30 p.m.

Respectfully Submitted:

  
John Butler, Secretary